

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

JAMES M. BAKER, On Behalf of Himself and All Others Similarly Situated,)	Civil Action No. 1:05-cv-00272-GMS
)	<u>CLASS ACTION</u>
Plaintiff,)	
)	
vs.)	
)	
MBNA CORP., et al.,)	
)	
Defendants.)	
)	
ROCHELLE PHILLIPS, On Behalf of Herself and All Others Similarly Situated,)	Civil Action No. 1:05-cv-00277-GMS
)	<u>CLASS ACTION</u>
Plaintiff,)	
)	
vs.)	
)	
MBNA CORP., et al.,)	
)	
Defendants.)	
)	

[Caption continued on following page.]

THE CITY OF DEERFIELD BEACH'S RESPONSE TO THE COMPETING
MOTIONS FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF AND
FOR APPROVAL OF SELECTION OF LEAD AND LIAISON COUNSEL

JULY 21, 2005

ROBERT WILKINS, Individually and On Behalf of All Others Similarly Situated,) Civil Action No. 1:05-cv-00287-GMS
Plaintiff,)
vs.)
MBNA CORP., et al.,)
Defendants.)

LEONARD BRONSTEIN, On Behalf of Himself and All Others Similarly Situated,) Civil Action No. 1:05-cv-00289-GMS
Plaintiff,)
vs.)
MBNA CORP., et al.,)
Defendants.)

GREG PENN,) Civil Action No. 1:05-cv-00293-GMS
Plaintiff,)
vs.)
MBNA CORP., et al.,)
Defendants.)

CLIFFORD W. JONES, On Behalf of Himself and All Others Similarly Situated,) Civil Action No. 1:05-cv-00316-GMS
Plaintiff,)
vs.)
MBNA CORP., et al.,)
Defendants.)

[Caption continued on following page.]

MICHAEL D. BLUM,)	Civil Action No. 1:05-cv-00372-GMS
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
MBNA CORP., et al.,)	
)	
Defendants.)	
)	
THOMAS J. CUSSEN, On Behalf of Himself)	Civil Action No. 1:05-cv-00389-GMS
and All Others Similarly Situated,)	
)	
Plaintiff,)	<u>CLASS ACTION</u>
)	
vs.)	
)	
MBNA CORP., et al.,)	
)	
Defendants.)	
)	
)	

Institutional Investor City of Deerfield Beach Non-Uniform Employees Retirement Plan (“City of Deerfield Beach”) respectfully submits this response to the competing motions for Consolidation, Appointment as Lead Plaintiff and for Approval of Selection of Lead and Liaison Counsel filed on July 5, 2005. Upon review of the competing motions, based on the data submitted to the Court, it appears that Activest PT-Master & Activest Enerfonds has the largest financial interest of the proposed lead plaintiffs. If the Court determines that the motion of Activest PT-Master & Activest Enerfonds is deficient in any way, City of Deerfield Beach is ready, willing and capable to perform the duties of lead plaintiff.

DATED: July 21, 2005

ROSENTHAL, MONHAIT, GROSS
& GODDESS, P.A



JOSEPH A. ROSENTHAL (Del. No. 234)
JEFFREY S. GODDESS (Del. No. 630)

919 Market Street, Suite 1401
Wilmington, DE 19801
Telephone: 302/656-4433
jgoddess@rmgglaw.com

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
PAUL J. GELLER
197 S. Federal Highway, Suite 200
Boca Raton, FL 33432
Telephone: 561/750-3000
561/750-3364 (fax)

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
SAMUEL H. RUDMAN
DAVID A. ROSENFELD
MARIO ALBA, JR.
200 Broadhollow Road, Suite 406
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)

Counsel for City of Deerfield Beach

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2005, I electronically filed The City Of Deerfield Beach's Response To The Competing Motions For Consolidation, Appointment As Lead Plaintiff And For Approval Of Selection Of Lead And Liaison Counsel, using CM/ECF, which will send notification of such filing to the following:

Seth D. Rigrodsky, Esquire
Ralph Nicholas Sianni, Esquire
Milberg Weiss Bershad & Schulman LLP
919 Market Street, Suite 411
Wilmington, DE 19801
srigrodsky@milbergweiss.com
rsianni @milbergweiss.com

A. Zachary Naylor, Esquire
Chimicles & Tikellis LLP
One Rodney Square
P. O. Box 1035
Wilmington, DE 19899
zacharynaylor@chimicles.com

Joseph N. Gielata, Esquire
501 Silverside Road, Suite 90
Wilmington, DE 19809
joe@gielatalaw.com

I further certify that on July 21, 2005, I have caused the above-listed documents to be sent by first-class mail to all additional counsel on the attached service list.



Jeffrey S. Goddess (Del. Bar No. 630)
Rosenthal, Monhait, Gross
& Goddess, P.A.
Suite 1401, 919 Market Street
P. O. Box 1070
Wilmington, DE 19899-1070
(302) 656-4433
jgoddess@rmgglaw.com

MBNA CORP. (DE)

Service List - 7/1/2005 (05-0098D)

Page 1 of 3

Counsel For Defendant(s)

Richard C. Pepperman II
Sullivan & Cromwell LLP
125 Broad Street
New York, NY 10004-2498
212/558-4000
212/558-3588(Fax)

Richard H. Morse
Young Conaway Stargatt & Taylor, LLP
1000 West Street, 17th Floor
The Brandywine Building
Wilmington, DE 19899
302/571-6600
302/571-1253(Fax)

Counsel For Plaintiff(s)

Joshua M. Lifshitz
Bull & Lifshitz LLP
18 E. 41st Street
New York, NY 10017
212/213-6222
212/213-9405(Fax)

Frank J. Johnson
Johnson Law Firm, A P.C.
402 W. Broadway, 27th Floor
San Diego, CA 92101
619/230-0063
619/230-1839(Fax)

Deborah R. Gross
Robert P. Frutkin
Law Offices Bernard M. Gross, P.C.
100 Penn Square East, Suite 450
Juniper and Market Streets
Philadelphia, PA 19107
215/561-3600
215/561-3000(Fax)

Charles J. Piven
Law Offices of Charles J. Piven, P.A.
The World Trade Center-Baltimore
401 East Pratt Street, Suite 2525
Baltimore, MD 21202
410/332-0030
410/685-1300(Fax)

James M. Orman
Law Offices of James M. Orman
1845 Walnut Street, 14th Floor
Philadelphia, PA 19103
215/523-7800
215/523-9290(Fax)

Paul J. Geller
Lerach Coughlin Stoia Geller Rudman &
Robbins LLP
197 S. Federal Highway, Suite 200
Boca Raton, FL 33432
561/750-3000
561/750-3364(Fax)

MBNA CORP. (DE)

Service List - 7/1/2005 (05-0098D)

Page 2 of 3

Samuel H. Rudman
David A. Rosenfeld
Mario Alba, Jr.
Lerach Coughlin Stoia Geller Rudman &
Robbins LLP
200 Broadhollow Road, Suite 406
Melville, NY 11747
631/367-7100
631/367-1173(Fax)

Karen Hanson Riebel
Lockridge Grindal Nauen P.L.L.P.
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401
612/339-6900
612/339-0981(Fax)

Seth D. Rigrodsky
Ralph N. Sianni
Brian D. Long
Milberg Weiss Bershad & Schulman LLP
919 North Market Street, Suite 411
Wilmington, DE 19801
302/984-0597
302/984-0870(Fax)

Steven G. Schulman
Peter E. Seidman
Milberg Weiss Bershad & Schulman LLP
One Pennsylvania Plaza
New York, NY 10119
212/594-5300
212/868-1229(Fax)

David R. Scott
Scott + Scott, LLC
108 Norwich Avenue
Colchester, CT 06415
860/537-5537
860/537-4432(Fax)

Marc A. Topaz
Richard A. Maniskas
Tamara Skvirsky
Schiffrin & Barroway, LLP
280 King of Prussia Road
Radnor, PA 19087
610/667-7706
610/667-7056(Fax)

Arthur L. Shingler III
Scott + Scott, LLC
401 B Street, Suite 307
San Diego, CA 92101
619/233-4565
619/233-0508(Fax)

MBNA CORP. (DE)

Service List - 7/1/2005 (05-0098D)

Page 3 of 3

Stephen A. Weiss
Eric T. Chaffin
Roopal Luhana
Seeger Weiss LLP
1 William Street
New York, NY 10004-2502
212/584-7000
212/584-0799(Fax)

Lester L. Levy
Michael A. Schwartz
Caroline S. Curtiss
Wolf Popper LLP
845 Third Avenue
New York, NY 10022
212/759-4600
212/486-2093(Fax)